GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:2776
ANSWERED ON:05.12.2007
UN CONVENTION AGAINST CORRUPTION
Shivanna Shri M

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether India has signed the United Nations Convention against corruption;

(b) if so, the salient features of the convention;

(c) the time by which the Government is likely to ratify the same;

(d) whether the inter-ministerial Joint Working Group, which was constituted for addressing all relevant issues in this regard, has given its suggestions; and

(e) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS.(SHRI SURESH PACHOURI)

(a) to (e): A statement is laid on The Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA UNSTARRED QUESTION NO. 2776 FOR 5.12.2007 BY SHRI M. SHIVANNA, MP.

India has signed the United Nations Convention against Corruption on 9th December, 2005.

2. The Convention prescribes a series of measures for preventing corruption and mandates the parties to consider criminalizing certain conducts in their domestic law such as bribery of national public officials, foreign public officials and officials of public international organizations; embezzlement etc. by a public official; abuse of functions by public officials; bribery and embezzlement of property in the private sector; laundering of proceeds of crime; obstruction of justice; and participation in an offence established in accordance with the Convention etc. The Convention also mandates the parties to provide for sanctions against the commission of offences established under the Convention, appropriate prosecution and adjudication measure; confiscation of the proceeds of crime; measures in accordance with its domestic legal system for the protection of witnesses, experts, victims and reporting persons; measures for addressing the consequences of corruption, compensation for

3. India is amongst the countries who have signed the United Nations Convention against Corruption but have not yet ratified the same. No fixed time frame has been prescribed for ratification of the convention.

4. The Joint Working Group has examined various provisions of the Convention, which may not be covered under various laws in force in order to confirm whether the existing laws already in place adequately meet the requirements, which may have to be met by a State Party after it decides to ratify the Convention. On the basis of discussions in the Joint Working Group, the concerned Ministries/Departments have been requested to examine the provisions of the laws administered by them in detail so as to see whether requirements under UN Convention against Corruption are already covered or any amendments would be required.